



Law

PATENT
ATTORNEY DOCKET NO. 46970-5197

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Mitsuo YASUSHI et al.)	Examiner: Alyssa M. Alter
)	
Application No.: 10/649,858)	Group Art Unit: 3762
)	
Filed: August 28, 2003)	Confirmation No.: 6382
)	
Title: SYSTEM, METHOD, PROGRAM, AND MEDIUM FOR MEASURING HEART RATE)	
)	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114 for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

A Japanese Office Action dated February 6, 2007 that issued in a Japanese patent application and having a document cited therein is attached for the Examiner's consideration. The cited document is listed on the attached PTO Form 1449.

The relevance of the attached foreign language document can be understood from its attached English-language abstract, and from the citation of this document in the attached Japanese Office Action dated February 6, 2007. Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached form.


This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If it should be determined that the listed document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: March 5, 2007

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